

RECEIVED  
DEPARTMENT OF JUSTICE  
06 FEB - 8 PM 12:16  
F.O.I.O.  
OFFICE OF THE  
GENERAL COUNSEL

WHEREFORE, the parties seek the Court's execution of the Consent Order and its entry into the record, without further proceedings.

Dated: *February 7, 2006*

  
Jennifer J. Barnes  
Bar Counsel

EXECUTIVE OFFICE FOR  
IMMIGRATION REVIEW  
Office of the General Counsel  
5107 Leesburg Pike  
Suite 2400  
Falls Church, Virginia 22041  
(703) 305-0470

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IN PRACTITIONER DISCIPLINARY PROCEEDINGS  
BEFORE THE IMMIGRATION COURT**

\_\_\_\_\_  
**In the Matter of**

**ANTONIO REYES-VIDAL,**

**Respondent.**  
\_\_\_\_\_

)  
)  
)  
) **Disciplinary Case # D2005-015**  
) **# D2005-059**  
)  
)

**CONSENT ORDER**

Respondent, represented by Robert A. Shivers, Esq. and the Office of the General Counsel (OGC), Executive Office for Immigration Review (EOIR), represented by the undersigned Bar Counsel, hereby submit this consent order pursuant to 8 C.F.R. § 1003.106(a)(1)(ii), and seek the Court's approval thereunder.

**Basis of Consent Order**

1. Respondent hereby declares that the foregoing is freely and voluntarily rendered, that he is not being subjected to coercion or duress, and that he is fully aware of the implications of this consent order.

2. Respondent acknowledges that OGC has met its burden of proof, by clear, convincing, and unequivocal evidence, to allegations # 1-9, #12, & #15 set forth in the Notice of Intent to Discipline, to wit: that Respondent's conduct violated Rule 1003.102(l), in that Respondent repeatedly failed to appear for four (4) scheduled hearings in a timely manner without good cause, and that on December 4, 2000, Respondent was suspended from practice

before the Board, the Immigration Courts, and the Service (now the Department of Homeland Security) for violating Rule 1003.102(e), in that Respondent was subject to a final order of suspension in the State of Texas, suspending him for 84 months, including 24 months of active suspension and 60 months of probation.

3. Respondent further acknowledges that if this matter were to proceed to a hearing, there would be a substantial likelihood that OGC would prevail on the merits as to allegations # 1-9, #12, & #15.

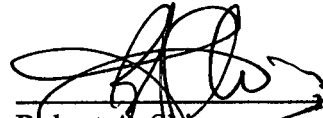
4. Therefore, Respondent consents to a 90-day suspension before the Immigration Courts, Board of Immigration Appeals ("Board"), and Department of Homeland Security ("Service"), to be effective as of April 1, 2006.

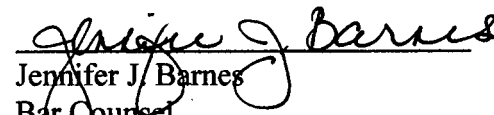
5. Once Respondent has completed the period of suspension, he may file a notice to the Board for its immediate consideration, requesting that he be reinstated to practice before the Immigration Courts, Board, and Service, pursuant to 8 C.F.R. § 1003.107(a). If Respondent files such notice and OGC verifies that Respondent meets the definition of attorney as set forth in 8 C.F.R. § 1.1(f), OGC will file a notice of non-opposition.

By consent, it is ORDERED AND ADJUDGED that Respondent shall be suspended from practice before the Board, Immigration Courts, and Service, for 90 days, effective April 1, 2006, and until such further order of the Board on application for reinstatement pursuant to 8 C.F.R. § 1003.107(a).

Dated:

2-6-06

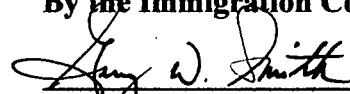
  
Robert A. Silvers  
Counsel for Respondent

  
Jennifer J. Barnes  
Bar Counsel  
Executive Office for  
Immigration Review

Date:

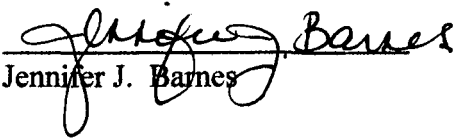
FEB - 7 2006

By the Immigration Court:

  
Gary Smith  
Assistant Chief Immigration Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Proposed Consent Order, together with attached Consent Order, has been mailed first-class, postage pre-paid to Robert A. Shivers, Esq., counsel for Antonio Reyes-Vidal, 1146 S. Alamo, San Antonio, TX 78210, this 7<sup>th</sup> day of February 2006.

  
Jennifer J. Baynes

CERTIFICATE OF SERVICE

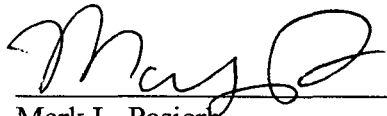
THIS ORDER WAS SERVED BY: FEDERAL EXPRESS STANDARD DELIVERY

TO: MR. Robert A. Shivers, RESPONDENT'S ATTORNEY; AND

TO: THE GOVERNMENT'S ATTORNEYS,  
Ms. Jennifer J. Barnes and  
Eileen M. Connolly.

DATE: February 7, 2006

BY:

A handwritten signature in black ink, appearing to read 'Mark L. Pasierb', written over a horizontal line.

Mark L. Pasierb  
Chief Clerk of the Immigration Court